

C0250005
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| INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE | | | |
|--|-----------------------------|------------------------------------|----------|
| Permit Number | C/025/0005 | Report Date | 12/15/11 |
| Mine Name | Coal Hollow Mine | | |
| Company Name | Alton Coal Development, LLC | | |
| Excess Spoil Pile or Refuse Pile Identification | Pile Name | Coal Hollow Mine Excess Spoil Pile | |
| | Pile Number | | |
| | MSHA Mine ID Number | 42-02519 | |
| Inspection Date | 15-Dec-11 | | |
| Inspected By | Dan W. Guy, P.E. | | |
| Reason for Inspection - Quarterly Inspection (Annual, Quarterly or Other Periodic Inspections, Critical Installation, or Completion of Construction) | | Attachments to Report? No | |
| Field Evaluation | | | |
| <i>No significant problems with the waste site were observed during the 4th quarter 2011.</i> | | | |
| 1. Foundation preparation, including the removal of all organic material and topsoil. Based on observation and discussion with the operator, the foundation preparation has been completed according to the approved plan. | | | |
| 2. Placement of underdrains and protective filter systems. N/A - There are no underdrains or other filter systems associated with this pile. | | | |
| 3. Installation of final surface drainage systems. The present surface drainage and diversion systems are operational and final. The pile has reached the elevation to allow positive drainage to Ditch 4 which flows to Sediment Pond No 3. | | | |
| 4. Placement and compaction of fill materials. Placement and compaction of fill material appears to be in accordance with the approved plan, based on evaluation of compaction test results, site observation and discussion with the operator. | | | |
| 5. Final grading and revegetation of fill. N/A - The fill is in the early stage of development. No revegetation has taken place. The north, east and south outcrops of the pile have been final graded to a slope of 3H:1V. | | | |

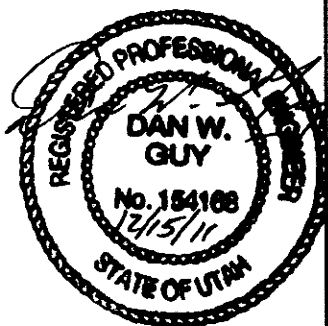
6. **Appearances of instability, structural weakness, and other hazardous conditions.**

N/A - There were no appearances of instability, structural weakness or other hazardous conditions noted during this inspection. Latest compaction tests show adequate compaction, with results ranging from 89% to 98%. The pile is being constructed at different levels to aid in the compaction.

7. **Other Comments. Describe any changes in geomerty of the Excess Spoil/Refuse Pile structure, instrumentation, average and Minimum lifts of materials placed in the pile, elevations of active benches, total and remaining capacity of the structure, evidance of fires in the pile and abatment of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occured during the reporting period.**

As noted above, the pile is in the early stage of development. The diversion No. 4 carrying pile runoff to Sediment Pond No. 3 is in place. The pile appears stable and is being constructed in accordance with the approved plan.

Certification Statement



I hereby certify that: I am experienced in the construction of earth and rock fills: I am qualified and authorized in the State of Utah to inspect and certify the condition and apperance of earth and rock fills in accordance with the certified and approved designs for this structure: that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations: and, that inspections and inspection reports are made by myself, or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Dan W. Guy, Registered Profession Engineer, State of Utah

(Full Name and Title)

Signature: Dan W. Guy

Date: 12/15/11

| IMPOUNDMENT INSPECTION AND REPORT | | | |
|--|---|-----------------------|--|
| Permit Number | C/025/0005 | Report Date 12/15/11 | |
| Mine Name | Coal Hollow Mine | | |
| Company Name | Alton Coal Development, LLC | | |
| Impoundment Identification | Impoundment Name | Pond 1 | |
| | Impoundment Number | Pond 1 | |
| | MSHA Mine ID Number | 42-02519 | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 15-Dec-11 | | |
| Inspected By | Dan W. Guy, P. E. (Accompanied by B. Kirk Nicholes) | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspections, Critical Installation, or Completion of Construction) | | Quarterly Inspection. | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>None Noted.</p> | | | |
| <p>Required for an impoundment which functions as a SEDIMENTATION POND.</p> | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.</p> <p>Sediment Storage Capacity:</p> <p>60 % Elevation: 6912.26 (1.26')</p> <p>100% Elevation: 6913.03 (2.03')</p> <p>The pond contained approximately 12" of water (frozen). The sediment marker has been installed. Field observation shows the sediment level to be well below the cleanout elevation.</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Principle and Emergency Spillway Elevation: 6920 feet (The outlet structure for Pond 1 serves as both the Principle and Emergency Spillways)</p> <p>Total volume of pond at Spillway: 3.1 Acre-Feet (Elev. 6920.00')</p> <p>Required runoff storage: 2.57 Acre-Feet</p> | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions or other related activities associated with the pond decanting, embankment erosion/repairs, monitoring information, vegetation on outsooles of embankments, etc.

The water level is approximately at elevation 6912.0. Rip-rap has been placed on both inlets. The outlet culvert, which serves as both principle and emergency outlet, is open and functional. There is no discharge from the pond.

5. **Field Evaluation.** Describe any changes in the geometry of the structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The only change noted since the last inspection was a slight decrease in the water level.

Certification Statement

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations: and, that inspections and inspection reports are made by myself, or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Dan W. Guy, P.E.

(Full Name and Title)

Signature: 

Date: 12/15/11

| IMPOUNDMENT INSPECTION AND REPORT | | | |
|---|--|-------------|----------|
| Permit Number | C/025/0005 | Report Date | 12/15/11 |
| Mine Name | Coal Hollow Mine | | |
| Company Name | Alton Coal Development, LLC | | |
| Impoundment Identification | Impoundment Name | Pond 1B | |
| | Impoundment Number | Pond 1B | |
| | MSHA Mine ID Number | 42-02519 | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 15-Dec-11 | | |
| Inspected By | Dan W. Guy, P.E. (Accompanied by B. Kirk Nicholes) | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspections, Critical Installation, or Completion of Construction) | Quarterly Inspection. | | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>N/A - No appearance of any instability, structural weakness or other hazardous condition was noted.</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND. | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.</p> <p>Sediment Storage Capacity:</p> <p>60 % Elevation: 6900.00 (6.00')</p> <p>100% Elevation: 6902.08 (8.08')</p> <p>The pond contained approximately 2' of water (frozen). The sediment marker has been installed. Field observation shows the sediment level to be well below the cleanout elevation.</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Principle and Emergency Spillway Elevation: 6906 feet (The outlet structure for Pond 1B serves as both the Principle and Emergency Spillways)</p> <p>Total volume of pond at Spillway: 0.894 Acre-Feet (Elev. 6906.45)</p> <p>Required runoff storage: 0.50 Acre-Feet</p> | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions or other related activities associated with the pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

The water level is approximately at elevation 6896. There are 2 inlets to the pond - both have been rip-rapped. Both inlets appears stable and are functioning properly. The outlet is also open and functional.

5. **Field Evaluation.** Describe any changes in the geometry of the structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The only noted change since the last inspection is that the pond is frozen.

Certification Statement

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself, or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Dan W. Guy, P.E.

(Full Name and Title)

Signature: 

Date: 12/15/11

| IMPOUNDMENT INSPECTION AND REPORT | | | |
|---|--|----------------------|----------|
| Permit Number | C/025/0005 | Report Date | 12/15/11 |
| Mine Name | Coal Hollow Mine | | |
| Company Name | Alton Coal Development, LLC | | |
| Impoundment Identification | Impoundment Name | Pond 2 | |
| | Impoundment Number | Pond 2 | |
| | MSHA Mine ID Number | 42-02519 | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 15-Dec-11 | | |
| Inspected By | Dan W. Guy, P.E. (Accompanied by B. Kirk Nicholes) | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspections, Critical Installation, or Completion of Construction) | | Quarterly Inspection | |
| 1. Describe any appearance of any instability, structural weakness, or any other hazardous condition. N/A - No appearance of any instability, structural weakness or other hazardous condition was noted. | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND. | 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment. Sediment Storage Capacity: 60 % Elevation: 6894.07 (3.07') 100% Elevation: 6895.72 (4.72') The pond contained approximately 2.5' of water (frozen). The sediment marker has been installed, and field observation shows the sediment level to be well below the cleanout elevation. | | |
| | 3. Principle and emergency spillway elevations. Principle and Emergency Spillway Elevation: 6900 feet (The outlet structure for Pond 2 serves as both the Principle and Emergency Spillways) Total volume of pond at Spillway: 2.675 Acre-Feet (Elev. 6901.09') Required runoff storage: 1.70 Acre-Feet | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions or other related activities associated with the pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

The water level is approximately at elevation 6893.5. Both pond inlets have been rip-rapped. The outlet is open and functional. No other problems were noted during the inspection.

5. **Field Evaluation.** Describe any changes in the geometry of the structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

Changes noted since the last inspection include a slight increase in water level and the pond is now frozen.

Certification Statement

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself, or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Dan W. Guy, P.E.

(Full Name and Title)

Signature: Dan W. Guy

Date: 12/15/11

| IMPOUNDMENT INSPECTION AND REPORT | | | |
|--|--|-----------------------|----------|
| Permit Number | C/025/0005 | Report Date | 12/15/11 |
| Mine Name | Coal Hollow Mine | | |
| Company Name | Alton Coal Development, LLC | | |
| Impoundment Identification | Impoundment Name | Pond 3 | |
| | Impoundment Number | Pond 3 | |
| | MSHA Mine ID Number | 42-02519 | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 15-Dec-11 | | |
| Inspected By | Dan W. Guy, P.E. (Accompanied by B. Kirk Nicholes) | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspections, Critical Installation, or Completion of Construction) | | Quarterly Inspection. | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>No instability of the embankment or hazardous condition was noted during the inspection.</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND. | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.</p> <p>Sediment Storage Capacity:</p> <p>60 % Elevation: 6803.17 (2.17')</p> <p>100% Elevation: 6803.82 (2.82')</p> <p>The pond contained approximately 2' of water (frozen). The sediment marker has been installed, and field observation shows the sediment level to be well below the cleanout elevation.</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Principle and Emergency Spillway Elevation: 6811 feet (The outlet structure for Pond 3 serves as both the Principle and Emergency Spillways)</p> <p>Total volume of pond at Spillway: 7.98 Acre-Feet (Elev. 6811.00')</p> <p>Required runoff storage: 6.72 Acre-Feet</p> | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions or other related activities associated with the pond decanting, embankment erosion/repairs, monitoring information, vegetation on outlopes of embankments, etc.

The water level is approximately at elevation 6803. Permanent Inlet Ditch 4 has been installed and is functional. The open-channel spillway has been rebuilt and rip-rapped. No discharge.

5. **Field Evaluation.** Describe any changes in the geometry of the structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The changes noted since the last inspection include an increase in the water level and the installation of the inlet ditch No. 4 per the permit.

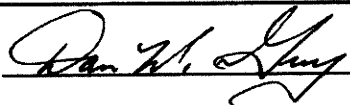
Certification Statement

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By: Dan W. Guy, P.E.

(Full Name and Title)

Signature:



Date:

12/15/11